

Amendments from Health and Human Services: 5, 44, 52, 60, 61, 64, 77, 111, 257, 410, 428, 543, 597, 601, 810, 811, 825, 839, 860, 864, 875, 906, 930 and 995.

Mr. Murphy of Burlington and others move to amend H.4100 in section 2, by inserting after item 4000-0050 the following items:-

- 4000-0112 For matching grants to boys' and girls' clubs, YMCA and YWCA organizations, nonprofit community centers, and youth development programs; provided, that the secretary of the executive office of health and human services shall award the full amount of each grant to each organization upon commitment of matching funds from the organization; and provided further, that the department shall not reduce the amount allocated to a program listed in this item as appearing in section 2 of chapter 182 of the acts of 2008 by more than 50 per cent in fiscal year 2010\$2,925,000
- 4000-0265 For a primary care workforce development and loan forgiveness grant program at community health centers, for the purpose of enhancing recruitment and retention of primary care physicians and other clinicians at community health centers throughout the commonwealth; provided, that the grant shall be administered by the Massachusetts League of Community Health Centers in consultation with the secretary of the executive office of health and human services and relevant member agencies; provided further, that the funds shall be matched by other public and private funds; and provided further, that the League shall work with said secretary and said agencies to maximize all sources of public and private funds\$1,700,000

And further amend the bill in section 2, by striking item 4000-1700 and inserting in place thereof the following item:-

- 4000-1700 For the operation of information technology services within the executive office of health and human services; provided, that not less than \$150,000 shall be expended to provide adoptive technology services for school-age children who are blind to ensure increased competence in the use of technological equipment and academic and professional development and self-sufficiency; and provided further, that the secretary shall file a report with the house and senate committees on ways and means no later than December 15, 2009 that shall include, but not be limited to, the following: (a) financial statements detailing savings realized from said consolidation; (b) the number of personnel assigned to the

information technology services within the executive office;
and (c) efficiencies that have been achieved from the sharing
of resources\$89,957,599

And further amend the bill in section 2, by striking item 4100-0060 and inserting in place thereof the following item:-

4100-0060 For the operation of the division and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws; provided, that notwithstanding any general or special law to the contrary, the assessment to acute hospitals authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2010 the estimated expenses, including indirect costs, of the division and shall be equal to the amount appropriated in this item less amounts projected to be collected in fiscal year 2010 from: (a) filling fees; (b) fees and charges generated by the division’s publication or dissemination of reports and information; and (c) federal financial participation received as reimbursement for the division’s administrative costs; provided further, that the assessed amount shall not be less than 65 per cent of the total expenses appropriated for the division in the health safety net office; provided further, that the division shall promulgate regulations requiring all hospitals receiving payments from the Health Safety Net Trust Fund to report to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category and average charge per admission; provided further, that the division shall submit quarterly reports to the house and senate committees on ways and means compiling said data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that funds may be expended for the purposes of a survey and study of the uninsured and underinsured in the commonwealth, including the health insurance needs of the residents of the commonwealth; provided further, that said study shall examine

the overall impact of programs administered by the executive office of health and human services on the uninsured, the underinsured and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of chapter 118G of the General Laws; provided further, that the division shall publish annual reports on the financial condition of hospitals and other health care providers through the Health Benchmarks project website, in collaboration with the executive office of health and human services, the office of the attorney general and the University of Massachusetts; provided further, that the division shall submit to the house and senate committees on ways and means and the joint committee on health care financing no later than December 8, 2009 a report detailing utilization of the Health Safety Net Trust Fund; provided further, that the report shall include: (a) the number of persons in the commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2009; (b) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2009; (c) the demographics of the population using the Health Safety Net Trust Fund; and (d) the types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2009; provided further, that the division shall include in the report an analysis on hospitals' responsiveness to enrolling eligible individuals into the MassHealth program upon the date of service rather than charging those individuals to the Health Safety Net Trust Fund; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior; provided further, that notwithstanding any general or special law or rule or regulation to the contrary, the division shall not allow any exceptions to the usual and customary charge defining rule as defined in 114.3 CMR 31.02, for the purposes of drug cost reimbursement to eligible pharmacy providers for publicly-aided and industrial accident patients; provided further, that the division is hereby authorized to change the pricing standard used by said division when determining the rate of payment to pharmacy providers for prescribed drugs for publicly-aided or industrial accident patients if such a change would financially benefit the commonwealth; provided further, that the division shall prepare a report on the savings realized by the MassHealth Pharmacy Program, for the first 3 months of fiscal year 2010, as a result of the reimbursement rate reductions for multiple source drugs for which upper limits have been set by the federal centers for Medicare and Medicaid services; provided further, that using said data, the

division shall also estimate the program savings for fiscal year 2010; provided further, that the division shall forward a copy of this report to the secretary of the executive office of administration and finance, and to the house and senate committees on ways and means no later than November 16, 2009; provided further, that the division, after consultation with the secretary and the chairs of the senate and house committees on ways and means, may adjust pharmacy dispensing fees for multiple source prescription drugs to compensate for any reduction as a result of the upper limits implemented under the Deficit Reduction Act of 2005; provided further, that the division shall provide a quarterly report on the projected costs and enrollment figures of Commonwealth Care and shall file the report with the clerks of the senate and house of representatives; and provided further, that the division and the executive office of health and human services shall establish a new rate methodology to cover the cost of care provided by any facility licensed by the department of public health as a chronic disease hospital providing services solely to children and adolescents, as follows: (1) the rate of reimbursement for any such facility shall be developed collaboratively through an agreement among the office of Medicaid, the division of healthcare finance and policy and any such facility; (2) the reimbursement rate for any such facility shall incorporate the following components: (a) utilization of the reimbursement methodology used by the division and the executive office of health and human services to determine payments for Medicaid disproportionate share pediatric hospitals in effect in 2007 utilizing the most recently filed 403 cost report with the division and the payments received from Medicaid eligible patients for the base period; (b) a per diem rate for inpatient and a payment on account factor for outpatient shall be established which reimburses the full unrecovered cost, including capital; and (c) the rates shall be inflated over the base period by the applicable Medicare market basket inflation factors; and (3) notwithstanding any general or special law to the contrary, in no event will the rates of payment be lower than the rates in effect for such facility in the prior fiscal year\$20,749,078

And further amend the bill in section 2B, in item 4000-0103, by striking the figures “\$28,122,839” and inserting in place thereof the figures “\$14,552,482”.